

REMARKS/ARGUMENTS

The claims are 1-7, which have been rejected under under 35 U.S.C. § 102(b) as being anticipated by *McNeil U.S. Patent No. 5,802,974*. Essentially, the Examiner's position is that *McNeil* discloses the method and device recited in the claims for producing an envelope including stretching the imprinted material web to correct registration inaccuracy.

This rejection is respectfully traversed.

As set forth in claims 1 and 3, Applicant's invention provides a method and a device for producing an envelope printed at least in part on an inside and outside portion of the envelope. As set forth at page 5 of the specification, the term "envelope" is used to refer to closable packaging such as shipping bags, small or large envelopes and the like. In accordance with Applicant's invention, the imprinted material web for producing the envelope which is non-elastic is stretched to correct registration inaccuracy. Although it is generally well known to stretch a web material to change the space relationship between the indicia and the lines of termination of a web material, one skilled in the art uses such stretching only when the web material is easy to stretch without using a big force.

For web materials which are not elastic, like paper, one skilled in the art would look to other methods such as maintaining a constant web speed in adjusting the phase of the following station to change the space in order to correct registration. Applicant's invention, however, proceeds against this conventional wisdom and uses stretching to correct registration inaccuracy in an envelope-producing machine.

McNeil relates to an apparatus for making sheets for paper towels, place mats, toilet tissues or napkins, not an envelope-making machine, as recited in Applicant's claims. McNeil corrects registration by changing the phase of the indicia or the lines of termination on the sheet. For example, the system for applying the indicia and the blade that imparts the line of termination is adjusted relative to the sheet as it is transported. Alternatively, the speed of either the web, the application of the indicia, or the imprinting of the line of termination is adjusted. Although column 9, lines 48-57 of McNeil indicates that the tension may be changed as the sheet is transported between the means for imparting the lines of termination and the means for applying the indicia, there is no disclosure or suggestion in McNeil to use such stretching to correct registration in an envelope-producing machine.

Materials that are used to produce envelopes are relatively nonelastic and so one skilled in the art, prior to Applicant's invention, would believe that such material is not suitable to stretch. However, it is not possible to adjust the phase of the following stations in an envelope machine in accordance with McNeil's method in which the web speed is kept constant and the phase of the following stations is adjusted to change the space because the stations are running in a cycle. To explain: the distance between two stations is, for example, 100 envelopes. If one now were to change the phase of all stations at the same time, one would get one good product, the product with the registration problem, but 99 bad ones. Accordingly, if one were to use the method taught by McNeil, it is not possible to change the phases at the same time. One would have to change the phase of the first station, wait until the bad product reaches the next station, then change also the phase of this station and so on. This process is not possible in an envelope machine.

Due to the strength of the material characteristics of the material used for envelopes, it is not necessary to make any registration corrections during the normal producing process. Rather, only if one puts a new material roll on the machine or if one runs with a slow speed is it necessary to make the

registration correction by stretching the material web in accordance with Applicant's invention. To stretch paper web a big force between the central cylinder and the tension rollers is necessary and it is necessary to fix the web material very well on the central cylinder and the tension rollers so that the material do not slip.

Accordingly, it is respectfully submitted that in accordance with Applicant's invention, the use of stretching to correct registration inaccuracy in an envelope machine is new and it is also the only method to bring the web in registration before the web reaches the first station of the envelope machine (i.e. the machine without the printing station). Applicant's process corrects registration not during the normal machine running but rather when a new material roll is placed on the machine or if the machine is run at a slow speed such as when the machine starts. Accordingly, it is respectfully submitted that McNeil fails to anticipate Applicant's method and device as recited in the claims.

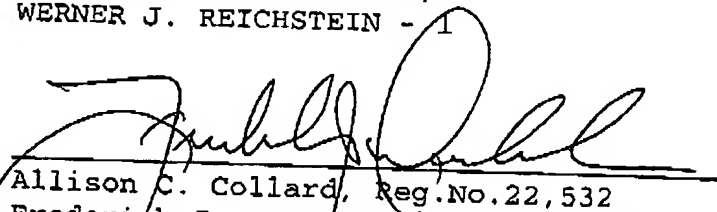
In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,
WERNER J. REICHSTEIN - 1

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

FJD:jc

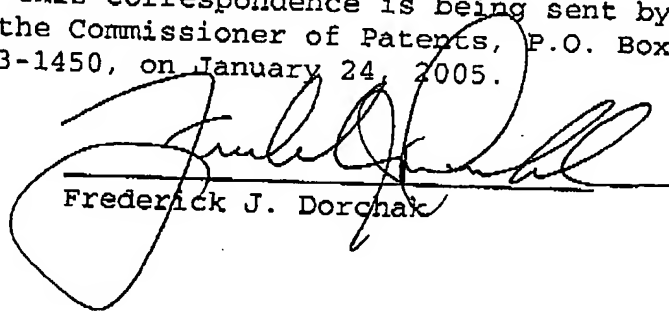
Enclosure: Copy of Petition for 1-month extension of time


Allison C. Collard, Reg.No.22,532
Frederick J. Dorchak, Reg.No.29,298
Attorneys for Applicant

CERTIFICATE OF FACSIMILE TRANSMISSION

Fax No. 703-872-9306

I hereby certify that this correspondence is being sent by facsimile-transmission to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 24, 2005.


Frederick J. Dorchak